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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,788	09/26/2005	Tomoyuki Okada	P31936-02	8335
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EXAMINER ZHAO, DAQUAN				
ART UNIT 2621		PAPER NUMBER		
NOTIFICATION DATE 01/06/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/525,788

Applicant(s)

OKADA ET AL.

Examiner

DAQUAN ZHAO

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48, 59 and 70-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48, 59, 70-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 48, 59, 70-75 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 48, 59 and 70-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi et al (US 5,771,334), Lamkin et al (US 7,178,106 B2) and further in view of Chang et al (US 2003/0,049,017 A1).

For claim 48, Yamauchi et al teach a recording medium having video data (e.g. figure 6), a plurality of programs (e.g. PGC information), and a table (e.g. figure 8, VTS management table) recorded thereon, wherein

One of the plurality of programs includes a command for branching, which instructs a playback device to perform branching based on a title number (e.g. column 15, lines 25-45, PGC number corresponds to the claimed "title number"),

the table comprises (a) combinations of program identification information and mode information (e.g. column 15, lines 25-45, figure 8, PGC number corresponds to the claimed "program identification information" and "...branches between the sets of PGC information recorded in the PGC management table" corresponds to the claimed

"mode" information) and (b) title number corresponding to the combinations (e.g. column 15, lines 25-45, VTS internal title search pointer table, described in figure 14, within figure 8, is a table made up of title numbers, and pointers to sets of PGC information which corresponds to VTS title search pointers),

the program identification information instructs the playback device on a program to be executed for dynamic control, when branching to a title of a corresponding title number (e.g. column 15, lines 25-45), and

However, Yamauchi et al fail to teach the mode information shows whether the program to be executed is a program described in an object-oriented programming language. Lamkin et al teach the mode information shows whether the program to be executed is a program described in an object-oriented programming language (e.g. abstract, figure 10, column 17, lines 10-36, column 4, lines 40-59, "InterActual" mode allow system to playback online content, wherein the online content is Javascript file, a Java virtual machine has to be used to execute the Javascript file). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the play back mode of Lamkin et al into the table information of Yamauchi et al to integrate the success of optical with the speed and accessibility of the internet for improvements of entertainment, computing, and academic disks (e.g. Lamkin et al, column 2, lines 55-67).

Yamauchi et al and Lamkin fails to teach table includes title numbers corresponding to movie objects and Java objects. Chung et al table includes title numbers corresponding to movie objects and Java objects (e.g. figure 4,

VTS_o1_0.VOB corresponds to the movie object and A.HTM corresponds to the Java object, and the directories are corresponds to table because it contains a list of objects). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Chung et al into the teaching of Yamauchi et al and Lamkin to enable the information storage medium to be reproduced seamlessly in a display window defined by a markup language document (e.g. Chung et al paragraph 12) for better video quality.

For claim 71, Yamauchi et al teach a method of recording onto a recording medium, comprising the following steps:

creating application data by using an authoring device (e.g. figure 5b shows the Video Title Set created by the DVD recorder in figure 15 when the video data is recorded); and

recording the created application data on the recording medium(e.g. figure 5b shows the Video Title Set created by the DVD recorder in figure 15 when the video data is recorded), wherein

the application data includes video data e.g. figure 6), a plurality of programs (e.g. PGC information), and a table (e.g. figure 8, VTS management table).

one of the plurality of programs includes a command for branching, which instructs a playback device to perform branching based on a title number (e.g. column 15, lines 25-45, PGC number corresponds to the claimed "title number"),

the table comprises (a) combinations of program identification information and mode information (e.g. column 15, lines 25-45, figure 8, PGC number corresponds to

the claimed "program identification information" and "...branches between the sets of PGC information recorded in the PGC management table" corresponds to the claimed "mode" information) and (b) title number corresponding to the combinations (e.g. column 15, lines 25-45, VTS internal title search pointer table, described in figure 14, within figure 8, is a table made up of title numbers, and pointers to sets of PGC information which corresponds to VTS title search pointers),

the program identification information instructs the playback device on a program to be executed for dynamic control, when branching to a title of a corresponding title number (e.g. column 15, lines 25-45), and

However, Yamauchi et al fail to teach the mode information shows whether the program to be executed is a program described in an object-oriented programming language. Lamkin et al teach the mode information shows whether the program to be executed is a program described in an object-oriented programming language (e.g. abstract, figure 10, column 17, lines 10-36, column 4, lines 40-59, "InterActual" mode allow system to playback online content, wherein the online content is Javascript file, a Java virtual machine has to be used to execute the Javascript file). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the play back mode of Lamkin et al into the table information of Yamauchi et al to integrate the success of optical with the speed and accessibility of the internet for improvements of entertainment, computing, and academic disks (e.g. Lamkin et al, column 2, lines 55-67).

Claim 70 is rejected for the same reasons as discussed in claim 48 above, wherein Yamauchi et al also teach when a command for branching in the program is executed, the control step(i) decides a program to be activated by referring to program identification information corresponding to a title number included in the command for branching, and (ii) decides whether to cause a platform part of a virtual machine to execute the program to be activated, by referring to mode information corresponding to the title number included in the command for branching (e.g. column 15, lines 25-45, user instruction for branching can be carried out using the remote control, and the claimed platform part of the virtual machine corresponds to the DVD player of figure 17).

Claim 59 is rejected for the same reason as discussed in claim 70 above.

For claims 72-75, Lamkin et al teach the program described in the objected-oriented program language is a program described in a JavaTM Language (e.g. abstract, figure 10, column 17, lines 10-36, column 4, lines 40-59, HTML javascript), and Yamauchi et al teach the mode information shows whether the program to be executed for dynamic control is a program described in the Java language or a command based program (e.g. column 15, lines 25-45, the branching is a command based program since it can depend on user input).

Applicant's amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEG § 706.07 (a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136 (a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing data of this action. In the event a first reply is filed within TWO MONTHS of the mailing data of this action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period. Then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing data of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the data of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daquan Zhao/

Examiner, Art Unit 2621

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621